

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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In re: EPHEDRA PRODUCTS LIABILITY
LITIGATION

: 04 M.D. 1598 (JSR)
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PERTAINS TO ALL CASES

STATUS ORDER (INCLUDING CASE MANAGEMENT ORDER NO.47)

JED S. RAKOFF, U.S.D.J.

At the monthly status conference held on June 5, 2008, the Court made the following rulings, which are hereby confirmed (and in some instances modified and supplemented) as follows:

1. The next status conference will be at 4:30 pm on the new date of Monday, July 14, 2008.

2. The Court approved a First Amendment to the MII Mediation Trust proposed by David Higgins, Trustee, insofar as the amendment effects changes to Article 5 of the Trust Agreement so as to permit the Trust to reimburse those trust beneficiaries and/or their attorneys who advanced \$1,000 each for the mediation services of Prof. Eric Green and John K. Trotter Esq. The Trustee has withdrawn his proposed changes to Article Four.

3. After reviewing the backup, the Court granted as unopposed a motion by Andrews & Thornton for reimbursement from the Ephedra Plaintiffs' Common Expense Fund of \$50,800 in pre-MDL

expenses incurred by the firm for the common benefit of all plaintiffs. The Court will enter a separate order directing the Clerk to issue the check.

SO ORDERED.



JED S. BAKOFF, U.S.D.J.

Dated: New York, New York
June *10*, 2008